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Latvia and Mongolia

Agreement between the Government of the Republic of Latvia and the Government of Mongolia on international transport by road. Ulaanbaatar, 12 June 2014

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Lettonie

et

Mongolie

Accord entre le Gouvernement de la République de Lettonie et le Gouvernement de la Mongolie sur le transport routier international. Oulan-Bator, 12 juin 2014

Entrée en vigueur : 12 mars 2015 par notification, conformément à l'article 15

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AGREEMENT

BETWEEN THE GOVERNMENT OF THE REPUBLIC OF LATVIA AND THE GOVERNMENT OF MONGOLIA ON INTERNATIONAL TRANSPORT BY ROAD

The Government of the Republic of Latvia and the Government of Mongolia (hereinafter referred as the "Contracting Parties"),

- anxious to contribute to the development of trade and economic relations between the two countries;

- determined to promote collaboration in road transport within the framework of the market economics;

- recognizing the mutual interest and advantage of an agreement on road transport

have agreed as follows:

I GENERAL PROVISONS

Article 1

Scope

This Agreement applies to international road transport operations performed by the carrier who in his home country according to its national legislation is entitled to perform international road transport operations, on hire and reward or on own account, and may perform such operations to, from, or in transit through the other country's territory.

Article 2

Definitions

1. The term "home country" means the territory of the Contracting Parties in which the carrier is established and a vehicle is registered.

2. The term "host country" means the territory of a Contracting Party in which the carrier is operating without its vehicle being registered there and without the carrier being established there.

3. The term "carrier" means any natural or legal person, established in the territories of the Contracting Parties, and authorized in accordance with the relevant national laws and regulations to engage in the international carriage of passengers or goods by road. 4. The term "vehicle" means:

a) in the carriage of passengers - any power driven road vehicle which is adapted for carriage of passengers, has more than nine seats, including the driver's seat and is registered in the territory of one of the Contracting Parties,

b) in the carriage of goods - any power driven road vehicle, either laden or unladen, which is registered in the territory of either Contracting Party and adapted for goods transport. For the purposes of this Agreement the term "vehicle" also applies to any trailer or semitrailer, coupled to any motor vehicle disregarding the place of registration of trailer or semi-trailer.

5. The term "regular service" means passenger transport along routes and according to schedules agreed in advance and whereby passengers may enter or exit the vehicle at predetermined stops.

6. The term "shuttle services" means services whereby, by means of repeated outward and return journeys, groups of passengers assembled in advance are carried from a single place of departure to a single place of destination.

Each group, consisting of the passengers who made the outward journey, is carried back to the place of departure on a later journey. Place of departure and destination mean respectively the place where the journey begins and the place where the journey ends, together with, in each case, the surrounding locality within a 50 km radius. The first return journey and the last outward journey in a series of shuttles are made unladen.

7. The term "occasional service" means a service falling neither within the definition of a regular passengers service nor within the definition of a shuttle service. The frequency or number of services does not affect their classification as occasional service.

8. The term "cabotage" means the transport of passengers or goods between some points within the territory of one Contracting Party carried out by a carrier of the other Contracting Party.

Article 3

Joint Committee and Competent Authorities

1. For the application and implementation of the provisions of this Agreement, the competent authorities of both Contracting Parties establish a Joint Committee, which is formed from the delegates designated by these authorities.

2. The Joint Committee shall meet at the request of competent authorities of the either Contracting Party at meetings that will be held alternately in the territories of the Contracting Parties.

3. Under this Agreement, the competent authorities shall be:

- For the Republic of Latvia: Ministry of Transport;
- For Mongolia: Ministry of Roads and Transportation.

II PASSENGER TRANSPORT

Article 4

Regular and shuttle services

1. Regular and shuttle services operated between the territories of the Contracting Parties or in transit through them are subject to a system of permits issued by the competent authority of the Contracting Parties.

2. Carriers must address applications for authorizations for regular and shuttle services to the competent authority of their home country. If that competent authority approves the application, it forwards the said application to the competent authority of the host country.

3. The Joint Committee set up under Article 3 hereof decides on the form of the application for authorizations and following documents.

4. Regular services shall be established on reciprocity basis.

Each competent authority shall issue the permits for the period up to 5 (five) years for the section of the itinerary operated on its territory.

Article 5

Occasional services

1. Occasional services operated between the territories of the Contracting Parties or in transit through their territories are subject to a system of permits previously issued by the competent authority of the Contracting Parties.

2. As an exemption to paragraph 1 of this Article the following occasional services will not require any transport permit:

a) round trip services, i.e. services whereby the same vehicle is used to transport the same group of passengers throughout the journey and to bring them back to the same place of departure; b) services which make the outward journey laden and the return journey unladen;

c) services which make the outward journey unladen and the return journey laden, provided that passengers:

- constitute a group formed under a contract of carriage entered into before their arrival in the territory of the Contracting Party where they are picked up and carried to the territory of the home country;

- have been previously brought by the same carrier into the territory of the Contracting Party where they are picked up again and carried into the territory of the home country;

- have been invited to the territory of the country of establishment, the cost of transport being born by the person issuing the invitation.

d) transit transport performed in services defined in indent a), b) orc);

e) runs by bus or coach sent to replace a bus which has broken down.

Article 6

Common provisions on transport of passengers

1. Permits for services mentioned within the paragraph 1 of the Article 4 and the paragraph 1 of the Article 5 are personal and are not transferable to other carrier.

2. The Joint Committee set up under Article 3 may add to the list of services within the paragraph 2 of the Article 5 which are excluded from the system of permits.

3. Services included in the paragraph 2 of the Article 5 and in paragraph 2 of this Article must have in their vehicles a properly completed waybill containing the list of passengers, which has been signed by the carrier and stamped by the competent control authorities. The waybill shall be completed at the Home country and must be kept in the vehicle throughout the journey for which it has been issued, and produced on the request of any authorized control officials.